

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 15-10892
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

April 7, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

TEVIN RASHAD WRIGHT,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:15-CR-116

Before JOLLY, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

Tevin Rashad Wright challenges the sufficiency of the factual basis for his guilty plea to possession of a firearm by a convicted felon under 18 U.S.C. §§ 922(g)(1) and 924(a)(2). He contends that the Supreme Court's decision in *McFadden v. United States*, 135 S. Ct. 2298 (2015), calls into question our holding in *United States v. Dancy*, 861 F.2d 77, 81-82 (5th Cir. 1988), that the offense does not require knowledge of a firearm's interstate nexus. Because

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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McFadden does not unequivocally direct this court to overrule *Dancy*, “we are not at liberty to overrule our settled precedent.” *United States v. Alcantar*, 733 F.3d 143, 146 (5th Cir. 2013).

The judgment of the district court is AFFIRMED. The Government’s motion for summary affirmance is DENIED. *See United States v. Holy Land Found. for Relief*, 445 F.3d 771, 781 (5th Cir. 2006). Its alternative motion for an extension of time is DENIED as unnecessary.